

Message Text

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ORIGIN EB-08

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FM SECSTATE WASHDC
TO AMEMBASSY PARIS

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E.O. 11652: NA

TAGS: SENV

SUBJECT: REPORTED FRENCH CONSIDERATION OF BAN ON
IMPORTS OF FLAME-RESISTANT CHILDRENS' SLEEPWEAR

1. WALL STREET JOURNAL REPORTED MAY 31 THAT QTE THE
FRENCH HEALTH AND ECONOMICS MINISTRIES SAID FRANCE MAY
SOON BAR IMPORTS OF FLAME-RESISTANT CHILDRENS' PAJAMAS
THAT ARE BANNED IN THE U.S. AS CARCINOGENIC. UNQTE.

2. THERE IS PRESENTLY UNDERWAY A STUDY OF BROAD ISSUE
OF EXPORT OF SUBSTANCES BANNED OR OTHERWISE RESTRICTED
IN U.S. BY FEDERAL REGULATORY ACTION. HOUSE COMMERCE,
CONSUMER AND MONETARY AFFAIRS SUBCOMMITTEE IS PLANNING
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HEARINGS ON FEDERAL POLICY IN THIS AREA IN LATE
JUNE.

3. WITH ABOVE AS BACKGROUND (WHICH EMBASSY MAY SHARE
WITH GOF IF DESIRED), EMBASSY IS REQUESTED TO INQUIRE
OF GOF: -

-- UNDER WHAT REGULATIONS WOULD BAR TO IMPORTS OF
CHILDRENS' SLEEPWEAR BE IMPOSED?

-- WOULD IMPORT BAN BE IMPLEMENTED BY CUSTOMS ACTION?
NOTIFICATION TO IMPORTERS? OTHER MEANS?

.- IF BAN ON IMPORTS IS IMPOSED, WILL DOMESTIC SALE
ALSO BE BANNED OR OTHERWISE RESTRICTED? IF SO, IS
THERE A MECHANISM TO ALLOCATE FINANCIAL BURDEN OF NOW-
UNSALEABLE INVENTORY?

-- ON WHAT INFORMATION WILL GOF BE ACTING IF IMPORT
BAN IS IMPOSED (E.G. PRESS REPORTS, NATIONAL OR
INTERNATIONAL SCIENTIFIC/MEDICAL JOURNALS, ETC.)?

-- IF GOF HAD RECEIVED OFFICIAL USG NOTIFICATION OF
U.S. REGULATORY ACTION AT TIME WHEN US COMSUMER PRODUCT
SAFETY COMMISSION BANNED SALE OF TRIS-TREATED CHILDRENS'
SLEEPSEAR IN US, WOULD NOTIFICATION HAVE AFFECTED EITHER
TIMING OR SUBSTANCE OF POSSIBLE IMPORT BAN? HOW?

4. AS GOF RESPONSES COULD BE OF SUBSTANTIAL VALUE
TO AGENCIES' CONSIDERATION OF ISSUE, WOULD APPRECIATE
EARLY REPLY.

5.FYISOME TIME AGO, STATE DEPARTMENT INFORMED SUBCOMMITTEE
THAT STATE FAVORS A UNIFORM FEDERAL POLICY OF NOTI-
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FICATION TO FOREIGN GOVERNMENTS OF U.S. DOMESTIC
REGULATORY ACTIONS ON CHEMICALS AND PRODUCTS. STATE
DEPARTMENT HAS ARGUED THAT INFORMED FOREIGN GOVERNMENTS
ARE IN BEST POSITION TO DECIDE QUESTIONS OF IMPORTATION
OR REGULATION OF ITEMS WHICH HAVE BEEN OBJECT OF U.S.
REGULATORY ACTION; DEPARTMENT IS CONCERNED THAT
UNILATERAL EXPORT CONTROLS BASED ON HEALTH AND SAFETY
CONSIDERATIONS MAY BE SEEN BY OTHER GOVERNMENTS AS
UNWARRANTED INTERFERENCE IN THEIR INTERNAL AFFAIRS.
USG AGENCIES ARE STILL REVIEWING THIS AND RELATED ISSUES,
HOWEVER. END FYI. CHRISTOPHER

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